

2003 DRAFTING REQUEST

Assembly Joint Resolution

Received: **01/13/2003**

Received By: **pdykman**

Wanted: **Soon**

Identical to LRB:

For: **Terry Musser (608) 266-7461**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **pdykman**

May Contact:

Addl. Drafters:

Subject: **State Govt - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Musser@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

policy of executive branch consultation with tribal governments

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pdykman 01/13/2003			<hr/> <hr/>			
/1			pgreensl 01/13/2003	<hr/> <hr/> <hr/>	lemery 01/13/2003 lemery 06/03/2003		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
				_____	lemery		
				_____	06/03/2003		
/2	pdykman	kgilfoy	jfrantze	_____	sbasford	lemery	
	06/04/2003	06/04/2003	06/04/2003	_____	06/04/2003	06/16/2003	

FE Sent For:

<END>

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/1			pgreensl 01/13/2003		lemery 01/13/2003 lemery 06/03/2003		

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				_____	lemery		
				_____	06/03/2003		
/2	pdykman	kgilfoy	jfrantze	_____	sbasford		
	06/04/2003	06/04/2003	06/04/2003	_____	06/04/2003		

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No specific pre topic given

+ Requester change
Per Joyce Kiel
st LC

Topic:

policy of executive branch consultation with tribal governments

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/1			pgreensl 01/13/2003		lemery 01/13/2003 lemery 06/03/2003		
			7/6/4	Self 6/4		resubmitted to email again	

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

lemery
06/03/2003

FE Sent For:

<END>

2003 DRAFTING REQUEST

Assembly Joint Resolution

Received: 01/13/2003

Received By: **pdykman**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Council - JLC**

By/Representing: **Lovell, David**

This file may be shown to any legislator: **NO**

Drafter: **pdykman**

May Contact:

Addl. Drafters:

Subject: **State Govt - miscellaneous**

Extra Copies:

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

policy of executive branch consultation with tribal governments

Instructions:

See Attached

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/?	pdykman 01/13/2003						
/1			pgreensl 01/13/2003		lemery 01/13/2003		

FE Sent For:

<END>

2003 DRAFTING REQUEST**Assembly Joint Resolution**

Received: 01/13/2003

Received By: pdykman

Wanted: Soon

Identical to LRB:

For: Legislative Council - JLC

By/Representing: Lovell, David

This file may be shown to any legislator: NO

Drafter: pdykman

May Contact:

Addl. Drafters:

Subject: State Govt - miscellaneous

Extra Copies:

Submit via email: NO

Pre Topic:

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Topic:

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Instructions:

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/?	pdykman						
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1/13	1/13
ps	gell

FE Sent For:

<END>

2003 DRAFTING REQUEST

Assembly Joint Resolution

Received: 01/09/2003

Wanted: Soon

For: Legislative Council - JLC

This file may be shown to any legislator: NO

May Contact:

Subject: State Govt - miscellaneous

Submit via email: NO

Pre Topic:

No specific pre topic given

Topic:

Policy of executive branch consultation with tribal governments

Instructions:

See Attached

Drafting History:

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/?

pdykman

1-11/10/03
KMGLE
conversion
1-10 EN

4/13/03

P8/10/03

P8/10/03

P8/10/03

FE Sent For:

P<END>

Received By: pdykman

Identical to LRB:

By/Representing: Lovell, David

Drafter: pdykman

Addl. Drafters:

Extra Copies: KMG

Cancelled

New

LRB#

1470V

2003 DRAFTING REQUEST**Bill**Received: **01/09/2003**Wanted: **Soon**For: **Legislative Council - JLC**This file may be shown to any legislator: **NO**

May Contact:

Subject: **State Govt - miscellaneous**Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Policy of executive branch consultation with tribal governments

Instructions:

See Attached WLC: 0082/1

Drafting History:

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FE Sent For:

<END>

Received By: **pdykman**

Identical to LRB:

By/Representing: **Lovell, David**Drafter: **pdykman**

Addl. Drafters:

Extra Copies:

*Cancelled
New # is
-1416*

2003 ASSEMBLY JOINT RESOLUTION

1 **Relating to:** policy of executive branch consultation with tribal governments.

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This joint resolution was prepared for the joint legislative council's special committee on state-tribal relations. It is based on 2001 Assembly Joint Resolution 90, which was introduced by the council on the 2000-02 committee's recommendation.

This joint resolution encourages the governor to develop and implement a consultation policy under which state executive branch agencies: (1) ensure meaningful and timely input by tribal officials in developing state policies and programs that have a substantial and direct effect on: (a) one or more American Indian tribes or bands in the state; (b) American Indians in the state; or (c) the relationship between state government and the American Indian tribes and bands in the state; and (2) identify key personnel in the agency who are responsible for coordination with tribal governments and have them meet on a regular basis with tribal officials regarding issues of mutual interest. The joint resolution also encourages the governor to promote positive government-to-government relations between the state and the American Indian tribes and bands in the state.

2 Whereas, there are 11 federally recognized American Indian tribes and bands in this
3 state, each with a unique history and unique concerns; and

4 Whereas, each of these tribes and bands is a separate and independent political
5 community with its own government and is distinct and separate from the state; and

6 Whereas, tribal governments in this state administer many programs, including state
7 programs, that provide benefits to tribal members and nontribal members, such as child
8 welfare services, health care services, social services, environmental protection, education,
9 and law enforcement; and

10 Whereas, there is a need for governments to discuss matters of mutual concern in a
11 government-to-government relationship; and

1 Whereas, the American Indian tribes and bands in this state and the state of Wisconsin
2 should have a mutual respect for each other and strive to improve communications on issues
3 of mutual concern; and

4 Whereas, decisions by state agencies that affect tribal governments or American Indians
5 would be better informed if they were based on a consideration of views of tribal government
6 before the decisions were made; and

7 Whereas, actions of state government can, and often do, affect the functioning of tribal
8 governmental programs, and these effects may be unintended and unanticipated by the state;
9 and

10 Whereas, these unintended and unanticipated effects may be detrimental to tribal
11 government and, thus, to residents of this state inasmuch as a well-functioning tribal
12 government is beneficial not only to tribal members but also to all residents of this state; and

13 Whereas, these unintended and unanticipated effects may be avoided by consultation
14 between state and tribal officials; and

15 Whereas, several previous U.S. presidents have affirmed the importance of
16 government-to-government relations between American Indian tribes and the federal
17 government; and

18 Whereas, Congress has enacted measures that promote tribal self-government and
19 self-determination; and

20 Whereas, President Clinton issued an executive order to establish regular and
21 meaningful consultation and collaboration with tribal officials in the development of federal
22 policies that have tribal implications and the federal Department of Interior's Bureau of Indian
23 Affairs has developed a government-to-government consultation policy; and

1 Whereas, the states of Oregon and Washington have recognized the importance of
2 promoting government-to-government relations between state government and tribal
3 governments and have developed consultation processes to seek consultation with
4 representatives of tribal governments in developing policies and program activities that affect
5 American Indian tribes in those states; and

6 Whereas, a consultation process can assist in resolving potential conflicts, maximize
7 key intergovernmental relations, and enhance an exchange of ideas and resources for the
8 greater good of all Wisconsin residents, whether tribal members or not; and

9 Whereas, the Wisconsin legislature wishes to promote positive
10 government-to-government relations between the state of Wisconsin and the American
11 Indian tribes and bands in this state; now, therefore, be it

12 *Resolved by the assembly, the senate concurring, That* the Wisconsin legislature
13 encourages the governor to develop and implement a consultation policy under which state
14 executive branch agencies:

15 (1) Ensure meaningful and timely input by representatives of tribal government in
16 developing state policies and programs that have a substantial and direct effect on:

- 17 (a) One or more American Indian tribes or bands in this state;
18 (b) American Indians in this state; or
19 (c) The relationship between state government and the American Indian tribes and
20 bands in this state; and

21 (2) Identify key personnel in the agency who are responsible for coordination with tribal
22 governments and have them meet on a regular basis with tribal officials regarding issues of
23 mutual interest; and, be it further

Resolved, That the Wisconsin legislature encourages the governor to promote positive government-to-government relations between the state and the American Indian tribes and bands in this state; and, be it further

Resolved, That the assembly chief clerk shall provide copies of this joint resolution to the governor, the departments and agencies in the executive branch, and the chairs of all of the federally recognized American Indian tribes and bands in this state.

(END)



State of Wisconsin
2003 - 2004 LEGISLATURE

1470
LRB-1416/P1

PJD:jch
mg

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

2003 ASSEMBLY JOINT RESOLUTION

Due 1/15

[Signature]

1 **Relating to:** policy of executive branch consultation with tribal governments.

Analysis by the Legislative Reference Bureau

~~This is a preliminary draft. An analysis will be provided in a later version.~~

2 ~~**Resolved by the assembly, the senate concurring, That:**~~

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3 Whereas, there are 11 federally recognized American Indian tribes and bands
4 in this state, each with a unique history and unique concerns; and

1 Whereas, each of these tribes and bands is a separate and independent political
2 community with its own government and is distinct and separate from the state; and

3 Whereas, tribal governments in this state administer many programs,
4 including state programs, that provide benefits to tribal members and nontribal
5 members, such as child welfare services, health care services, social services,
6 environmental protection, education, and law enforcement; and

7 Whereas, there is a need for governments to discuss matters of mutual concern
8 in a government-to-government relationship; and

9 Whereas, the American Indian tribes and bands in this state and the [✓]state of
10 Wisconsin should have a mutual respect for each other and strive to improve
11 communications on issues of mutual concern; and

12 Whereas, decisions by state agencies that affect tribal governments or
13 American Indians would be better informed if they were based on a consideration of
14 views of tribal government before the decisions were made; and

15 Whereas, actions of state government can, and often do, affect the functioning
16 of tribal government^g programs, and these effects may be unintended and
17 unanticipated by the state; and

18 Whereas, these unintended and unanticipated effects may be detrimental to
19 tribal government and, thus, to residents of this state inasmuch as a
20 well-functioning tribal government is beneficial not only to tribal members but also
21 to all residents of this state; and

22 Whereas, these unintended and unanticipated effects may be avoided by
23 consultation between state and tribal officials; and

1 Whereas, several previous U.S. presidents have affirmed the importance of
2 government-to-government relations between American Indian tribes and the
3 federal government; and

4 Whereas, Congress has enacted measures that promote tribal self-government
5 and self-determination; and

6 Whereas, President Clinton issued an executive order to establish regular and
7 meaningful consultation and collaboration with tribal officials in the development
8 of federal policies that have tribal implications and the federal Department of
9 Interior's Bureau of Indian Affairs has developed a government-to-government
10 consultation policy; and

11 Whereas, the states of Oregon and Washington have recognized the importance
12 of promoting government-to-government relations between state government and
13 tribal governments and have developed consultation processes to seek consultation
14 with representatives of tribal governments in developing policies and program
15 activities that affect American Indian tribes in those states; and

16 Whereas, a consultation process can assist in resolving potential conflicts,
17 maximize key intergovernmental relations, and enhance an exchange of ideas and
18 resources for the greater good of all Wisconsin residents, whether tribal members or
19 not; and

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(END)



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1470/1

PJD:kmg:pg

redraft run

2003 ASSEMBLY JOINT RESOLUTION

SPCIN

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(END)

Emery, Lynn

From: Kolka, Kathie
Sent: Monday, June 16, 2003 1:44 PM
To: LRB.Legal
Subject: LRB 03-1470/2 Topic: policy of executive branch consultation with tribal governments

It has been requested by <Kolka, Kathie> that the following draft be jacketed for the ASSEMBLY:

LRB 03-1470/2 Topic: policy of executive branch consultation with tribal governments